

From: Matthew Miller
To: Microsoft ATR
Date: 1/23/02 8:09am
Subject: Microsoft Settlement

I am writing to comment on the proposed Microsoft settlement. The proposed settlement does nothing to punish Microsoft for blatantly unfair business practices and if they are not punished, they will continue such practices as they have demonstrated with the latest version of Windows (XP).

At the bank I work for, we tested Windows XP in our enterprise and determined that we did not want to implement it. We put Windows 98 and Windows 2000 workstation on our network. We occasionally need to change a workstation from Windows 2000 to Windows 98 for software compatibility. If our enterprise license was for either Windows 98 or Windows 2000, we would have to purchase an additional license each time a workstation has their operating system changed. Since we purchase a Windows XP license for every workstation, we can put any Microsoft operating system we want onto the workstation. Thus, we have to purchase a product we DON'T WANT in order to keep within Microsoft's demands.

Microsoft has and continues to engage in an embrace, extend and eliminate form of competition. When a competitor comes up with a good idea, Microsoft will first attempt to purchase the idea from the competitor or purchase the competitor itself. If that is not possible, they will build a competing product, extend the format and/or protocols used and eventually make it proprietary. At this point, given that Microsoft's APIs are not well documented except for inside of Microsoft, another party would have a difficult time building a competing product due to software's "barrier to entry".

Recently, Microsoft blocked nearly all competing web browsers from Microsoft Network web properties. If there wasn't such a public outcry, I believe they would not have corrected this problem. Microsoft will do everything in it's power to create or extend their monopoly in any business line they are involved in.

Please, punish Microsoft for their unfair business practices, don't reward them by what is essentially forcing them entry into a market they have thus far been unable to penetrate. Open their APIs, open their source code, break them up into smaller companies, each with their ENTIRE line of software products. At least this will ensure some sort of competition in the software and operating system market.

Thank you,

Matthew Miller

